

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

MARIA KARECKI,

Plaintiff,

v.

TEAMSTERS LOCAL 210 AFFILIATED  
HEALTH AND INSURANCE FUND,  
Defendants.

Civil Action No.: 13-3105 (JLL)(JAD)

**ORDER**

**THIS MATTER** comes before the Court by way of United States Magistrate Judge Joseph A. Dickson's February 23, 2015 Report and Recommendation [Docket Entry No. 26], recommending that the undersigned dismiss Plaintiff's Complaint [Docket Entry No. 1] without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). Magistrate Judge Dickson filed his Report and Recommendation pursuant to 28 U.S.C. § 636 (b)(1)(B). In particular, Magistrate Judge Dickson recommended that Plaintiff's Complaint be dismissed, without prejudice, because Plaintiff's conduct has made it impossible to adjudicate her Complaint. Specifically, Plaintiff has now violated multiple, consecutive Court Orders and has essentially made it impossible for the Court or the Defendant to move forward with this litigation. Magistrate Judge Dickson goes on to state that Plaintiff has: (1) been consistently dilatory; (2) prejudiced Defendant; and (3) shown willful conduct with respect to its failure to comply with the Orders of this Court. Moreover, Judge Dickson noted that, given that Plaintiff has already disregarded the Court's warning that it would recommend dismissal if Plaintiff failed to comply with the Court's February 5, 2015 Order, Judge Dickson found that no sanction, short of dismissal, would be effective in these circumstances. Judge Dickson posited that Plaintiff would likely continue to ignore any sanction short of dismissal, leading to additional delay. To date, the Court has received no objections with respect to Magistrate Judge Dickson's February, 23 2015 Report and Recommendation, and for good cause shown,

**IT IS** on this 26 day of March, 2015

**ORDERED** that the Report and Recommendation of Magistrate Judge Dickson, filed on February 23, 2015 [Docket Entry No. 26], is hereby **ADOPTED** as the findings of fact and

conclusions of law of this Court; and it is further

**ORDERED** that Plaintiff's Complaint [Docket Entry No. 1] is hereby dismissed without prejudice.

**IT IS SO ORDERED.**



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Jose L. Linares  
United States District Judge